

Singh et al.

S/N: 09/710,543

REMARKS

Claims 1-29 are pending in the present application with claims 11-29 having been withdrawn from consideration. In the Office Action mailed July 13, 2004, the Examiner rejected claim 1 under 35 U.S.C. 102(b) as being anticipated by Meyer et al. (USP 6,041,304). The Examiner next rejected claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over a reference incorrectly identified as "Witala et al. (USP 6,029,114)." Applicant sought clarification of this inconsistency in the cited reference.

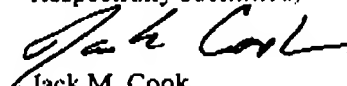
In a subsequent Office Action mailed October 19, 2004, the Examiner attempted to correct the reference incorrectly identified as "Witala et al. (USP 6,029,114)." Specifically, the Examiner stated, "This reference should have been identified as US 6,029,144 issued to Barrett et al." Therefore, the Examiner stated that "Applicant should respond to the Barrett reference." Furthermore, the Examiner set a one month period for reply.

Upon review of Barrett et al. and the substantive rejection purportedly based on Barrett et al., Applicant identified that the substantive rejection was inconsistent with Barrett et al. Specifically, the substantive rejection referred to "Fig. 3A" and reference numeral "8" but no such Fig. or reference numeral is present in Barrett et al. Accordingly, the undersigned communicated to the Examiner that Barrett et al. was incorrectly identified by the Examiner and that there did not appear to be a basis for shortening the period for reply to a single month.

Responsive thereto, the Examiner communicated that the current Office Action was withdrawn and that a new Office Action would be issued including a corrected basis of rejection and set forth a standard reply period.

Applicant appreciates the Examiner's willingness to correct the inconsistencies and consideration of these Remarks. Applicant cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,



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